



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

Aug. 7, 2017

Terry Turpin, Director of the Office of Energy Projects
Federal Energy Regulatory Commission
888 First Street, N.E.,
Washington, D.C.

Re: Tribal Consultation and Atlantic Coast Pipeline Project

Dear Mr. Turpin:

We are writing to express our dismay over the lack of direct consultation between the Federal Energy Regulatory Commission (FERC) and North Carolina's tribal governments impacted by the Atlantic Coast Pipeline (ACP) project. Our state departments are also disappointed to learn that none of your staff plan to attend or participate by phone in the Aug. 9 meeting of the N.C. Commission of Indian Affairs Environmental Justice Committee in Hollister, N.C. We believe this meeting is an opportunity for FERC to engage in a meaningful discussion with our state's tribal governments and to clarify your agency's responsibilities and requirements related to the ACP project. We sincerely request your reconsideration of attendance at this meeting, either in person or by conference call.

While the N.C. Commission of Indian Affairs did not take a position against the pipeline project in its April 6, 2017 public comments, it did express strong expectations for a meaningful discussion and consultation to ensure a greater understanding of environmental, cultural and other associated concerns of the tribal community. The pipeline's proposed route will traverse territory traditionally held by the Meherrin, Haliwa-Saponi, Coharie, Lumbee and other historic Indian tribes. These tribal governments are recognized by the state of North Carolina as sovereign entities. It is our belief that direct consultation is imperative if the pipeline developers are to assure historic sites, unmarked burial grounds and landscapes with cultural, spiritual and historical ties are identified.

As the pipeline permitting process moves forward, the N.C. Department of Environmental Quality and N.C. Department of Administration are committed to ensuring tribal government leaders and community members are provided direct, transparent and substantive opportunities for information gathering and input. If you do not plan to formally consult with North Carolina's tribal governments regarding the ACP, we request a meeting or conference with you to understand the basis for your decision.

Given the large population of American Indians living along the proposed pipeline route, we hope FERC shares our values that tribes are a major stakeholder and must be included in the process.

Sincerely,

John A. Nicholson
Chief Deputy Secretary
NC Department of Environmental Quality

Christy R. Agner
Deputy Secretary, Advocacy Programs
NC Department of Administration